

UNITED STATES DISTRICT COURT  
Northern District of California

PAUL E. ROSENFELD,

Plaintiff,

v.

JPMORGAN CHASE BANK, N.A., *et al.*,

Defendants.

No. C 09-6070 MEJ

**ORDER SCHEDULING CASE  
MANAGEMENT CONFERENCE**

On August 9, 2010, the Court dismissed Plaintiff's First Amended Complaint, with the exception of his sixth cause of action for Breach of Fiduciary Duty, but solely as to Defendant Capital Market Funding, Inc., which has not appeared in this matter and did not join in the other named Defendants' motion to dismiss. (Dkt. #18.) However, as there is no indication that CMF has been properly served, the Court warned Plaintiff that he must ensure that any amended complaint that includes CMF as a defendant is properly served on it.

On September 8, 2010, Plaintiff filed a Second Amended Complaint, with a sole cause of action against CMF for Breach of Fiduciary Duty. (Dkt. #20.) Accordingly, the Court shall conduct a case management conference on December 9, 2010 at 10:00 a.m. in Courtroom B. All dates in the December 30, 2009 scheduling order, (Dkt. #2), shall be adjusted accordingly.

**IT IS SO ORDERED.**

Dated: October 22, 2010

  
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Maria-Elena James  
Chief United States Magistrate Judge